

*Recd. 4/8
C Bauer
5/27/02*

BOSE McKINNEY & EVANS LLP

2700 First Indiana Plaza
135 N. Pennsylvania St.
Indianapolis, Indiana 46204
(317) 684-5000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 2123

Atty. Docket: 9090-0149

Applicant: Lindner et al.

Title: APPARATUS FOR USE IN AN INDUSTRIAL
PROCESS AND PLANT INCLUDING SUCH
APPARATUS AS WELL AS METHOD FOR
SIMULATING OPERATION OF SUCH PLANT

Serial No.: 09/415,815

Filed: October 12, 1999

Examiner: Pecone, R.



Certificate Under 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231

on May 9, 2002

D. Cwiklinski

Dated: May 9, 2002

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MAY 24 2002

Technology Center 2100

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant respectfully submits the following response to the Office Action mailed February 13, 2002.

REMARKS

Introductory Comments

A Preliminary Amendment was filed October 12, 1999 in connection with the above-reference application. However, as of the date of this Response, the Examiner has not entered said Preliminary Amendment. Applicants respectfully request that the Examiner enter said Preliminary Amendment and acknowledge the amendments to claims 3, 4, 5, 7, 8, 9, and 11, and new claims 13-37, recited therein.



25267

PATENT TRADEMARK OFFICE

2123

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On May 9, 2002*D. Cwiklinski*

D. Cwiklinski

May 9, 2002COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Transmitted herewith is a response in the above-identified application:

The fee has been calculated as shown below:

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CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	NUMBER EXTRA	RATE	Fee
TOTAL CLAIMS (37 C.F.R. 1.16(c))	37	37	0	\$18	\$0
INDEPENDENT CLAIMS (37 C.F.R. 1.16(b))	1	3**	0	\$84	\$0
If applicant has small entity status under 37 C.F.R. 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	NO	\$0
TOTAL FEE FOR ADDITIONAL CLAIMS					\$0

*If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

**If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

An Extension of Time for _____ month(s) is hereby requested
under 37 C.F.R. 1.136(a). The required fee for filing this extension is: _____

Information Disclosure Statement _____

TOTAL FEE FOR THIS AMENDMENT _____ \$0

A check in the amount of \$_____ to cover the total fee for this
amendment is attached.

The Commissioner is hereby authorized to charge any additional filing fees under 37 C.F.R. 1.16 or processing fees under 37 C.F.R. 1.17 which may be required during the prosecution of this application, or credit of any overpayment, to Bose McKinney & Evans LLP's Deposit Account No. 02-3223. A duplicate copy of this sheet is enclosed.

Christine Orlin

Attorney of Record
Printed Name: Christine Mayewski Orlin
Registration No.: 40,987